

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

DR. MUHAMMAD MIRZA and
ALLIED MEDICAL AND
DIAGNOSTIC SERVICES, LLC,

Plaintiffs,

vs.

DORIS BACHORIK A/K/A ZIAGOS
BACHORIK,

Defendant.

Case No: 1:18-CV-06232-LAP

**STIPULATION FOR ENTRY OF CONSENT JUDGMENT AND
PERMANENT INJUNCTION ORDER
AS TO DEFENDANT DORIS BACHORIK A/K/A ZIAGOS BACHORIK ONLY**

Plaintiffs Dr. Muhammad Mirza, MD, (“Dr. Mirza”) and Allied Medical and Diagnostic Services, LLC, (“Allied Medical”, collectively with Dr. Mirza, “Plaintiffs”) by their attorneys Lewis & Lin LLC, and Defendant Doris Bachorik a/k/a Ziagos Bachorik (“Bachorik”), stipulate and agree as follows:

1. On July 10, 2018, Plaintiffs filed a complaint for permanent injunction and other relief asserting claims for libel per se and trade libel; and tortious interference with contractual relations (“Complaint”). On or about June 4, 2020, Plaintiffs filed a second amended complaint asserting such claims against, *inter alia*, Bachorik (the “Third Amended Complaint”).

2. Plaintiffs and Bachorik (collectively the “Parties”) wish to resolve this matter and they hereby consent to an entry of judgment in the above-captioned case and

entry of the following Permanent Injunction Order against them.

3. The Court has subject-matter and personal jurisdiction over Bachorik.
4. The Parties waive the entry of findings of fact and conclusions of law under Rules 52 and 65 of the Federal Rules of Civil Procedure.
5. This Permanent Injunction Order will be entered under Federal Rule of Civil Procedure 65 and will constitute the final judgment in this matter as the claims asserted in Plaintiffs' Third Amended Complaint. The Parties waive the right to appeal from this judgment and will bear their respective costs, including any attorney's fees or other expenses of this litigation.
6. This Court should retain jurisdiction over this matter for the purpose of implementing and enforcing this Permanent Injunction Order. If Bachorik violates the Permanent Injunction Order she may be subject to civil and criminal sanctions for Contempt of Court.

CONSENT JUDGMENT PERMANENT INJUNCTION ORDER

IT IS HEREBY ORDERED THAT Defendant Doris Bachorik a/k/a Ziagos Bachorik ("Bachorik") is **PERMANENTLY ENJOINED**, effective from the date of entry of this Order, from directly or indirectly making any statements about Allied Medical or its services, techniques, or methods, or those of its employees or officers (including Dr. Mirza), on the Internet, by social media, in other published materials, orally, or by any other means, provided that she may provide complete and accurate information when required to do so by law. The provisions in this paragraph will apply to all **persons** acting at the direction of or in concert with Bachorik.

IT IS FURTHER ORDERED that Bachorik will remove from all Internet

websites and/or social media sites and services that she controls all materials referring to Allied Medical, its employees or officers, including Dr. Mirza. In addition, Bachorik will remove from all Internet websites and/or social media sites and services that she controls any and all statements directly or indirectly disparaging Allied Medical or its services, techniques, or methods, or those of its employees or officers, including Dr. Mirza. This paragraph applies specifically but is not limited to the Yelp post(s) referenced in the Third Amended Complaint.

IT IS FURTHER ORDERED that Bachorik, if asked directly to comment on Allied Medical or its services, techniques, or methods, or those of its employees or officers (including Dr. Mirza), shall respond, in sum and substance, "Due to a court order, I cannot comment on Dr. Mirza."

IT IS FURTHER ORDERED that in the event that any suit or action is instituted under or in relation to this Permanent Injunction Order, the prevailing party in such dispute shall be entitled to recover from the losing party all fees, costs and expenses of enforcing any right of such prevailing party under or with respect to this Permanent Injunction Order, including without limitation, such reasonable fees and expenses of attorneys and accountants, which shall include, without limitation, all fees, costs and expenses of appeals.

IT IS FURTHER ORDERED that Plaintiffs may engage in post-judgment discovery to monitor compliance with this Permanent Injunction Order.

IT IS FURTHER ORDERED that judgment shall be entered in favor of Plaintiffs on Plaintiffs' Second Amended Complaint as to Doris Bachorik a/k/a Ziagos Bachorik only, and this Court shall retain jurisdiction over the subject matter hereof and the parties hereto for the purposes of enforcing this Consent Judgment and Permanent Injunction and

any additional orders necessary and appropriate to the public interest.

IT IS FURTHER ORDERED that this Consent Judgment and Permanent Injunction Order constitutes a final judgment pursuant to Fed. R. Civ. P. 54. Each party shall bear its own costs and attorney's fees incurred in connection with this case.

IT IS SO ORDERED.

The Clerk of the Court shall mark this action closed and all pending motions denied as moot. **SO ORDERED.**

~~This ___ day of June, 2020~~

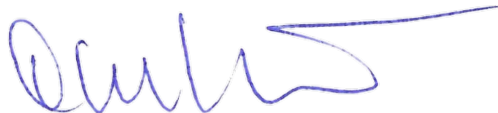
July 1, 2020



Loretta A. Preska, U.S.D.J.

APPROVED AS TO FORM AND CONTENT:

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Defendant